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## MINISTRY OF LAW

## NOTIFICATION

New Delhi, the 2nd November 1953

**S.R.O. 2048.**—In exercise of the powers conferred by section 28 of the Representation of the People Act, 1950 (XLIII of 1950), the Central Government, after consulting the Election Commission, hereby makes the following further amendments in the Representation of the People (Preparation of Electoral Rolls) Rules, 1950, namely:—

In the said Rules—

1. In rule 2, in clause (e), the words "or an electoral unit or part of an electoral unit" shall be omitted.

2. Rule 2A shall be omitted.

3. In rule 3 the second sentence shall be omitted.

4 In rule 5—

(a) in sub-rule (1), for the words "In the case of an electoral roll first prepared under the Act, the Chief Electoral Officer for the State shall, as soon as may be after the commencement of these rules, and in the case of every electoral roll subsequently prepared under the Act, the Chief Electoral Officer for the State shall, before the preparation of such roll is taken in hand," the words "Before the preparation of an electoral roll is taken in hand the Chief Electoral Officer shall" shall be substituted;

(b) sub-rule (2) shall be omitted; and

(c) in sub-rule (3), the words, brackets and figure "or sub-rule (2)" shall be omitted.

5. In rule 5A, in sub-rule (1), the words "In the case of every such electoral roll first prepared under the Act, shall, as soon as may be after this rule comes into force, and in the case of every such roll subsequently prepared under the Act" shall be omitted.

6. In rule 19 the words "where it is an electoral roll first prepared under the Act, shall come into force immediately upon such republication, and, where it is an electoral roll subsequently prepared under the Act," shall be omitted.

7. After rule 19 the following rule shall be inserted, namely:—

"19A. *Special provision for preparation of electoral rolls on re-delimitation of constituencies.*—(1) If in any State the Constituencies are delimited anew in accordance with law and the Election Commission is satisfied that, in order to hold general elections in that State, it is necessary urgently to prepare the electoral rolls for

those new constituencies, the electoral rolls of the new constituencies, shall be prepared in accordance with the provisions of this rule, and the provisions of rule 5 and rules 9 to 19 shall not apply to such preparation.

- (2) In a case referred to in sub-rule (1), the electoral roll of each of the new constituencies shall be prepared—
- (a) by putting together the electoral rolls of such of the existing constituencies or parts thereof as are comprised within the new constituency;
  - (b) by making such formal alterations in the arrangement, serial numbering and headings of the rolls so compiled as may be appropriate; and
  - (c) by publishing the roll at such place and in such manner as the Election Commission may direct.
- (3) Every electoral roll compiled and published under sub-rule (2) shall come into force immediately upon such publication."

8. In rule 20 for sub-rule (2) the following sub-rule shall be substituted, namely:—

- "(2) (a) Any person whose name is not included in the electoral roll of a constituency may apply in the manner hereinafter provided for the inclusion of his name in that electoral roll.
- (b) Where an application under clause (a) is made at any time after the issue of a notification calling upon the constituency to elect a member or members and before the completion of that election, it shall be made to the Chief Electoral Officer of the State, and in other cases it shall be made to the Electoral Registration Officer of the Constituency.

- (c) The Chief Electoral Officer or, as the case may be, the Electoral Registration Officer shall, if satisfied after such notice and such inquiry as he thinks fit that the applicant is entitled to be registered in the electoral roll, direct his name to be included therein:

Provided that, if the applicant is registered in the electoral roll of any other constituency in the same State, the Chief Electoral Officer or, as the case may be, the Electoral Registration Officer, shall inform the Electoral Registration Officer of that constituency, and that Officer shall, on receipt of the information, strike off the applicant's name from that electoral roll.

- (d) Where an application made under this rule is rejected, an appeal shall lie to the Election Commission within fifteen days from the date of such rejection.
- (e) On every application and appeal under this sub-rule there shall be payable a fee of—
- (i) one rupee in the case of an application to an Electoral Registration Officer;
  - (ii) ten rupees in the case of an application to a Chief Electoral Officer; and
  - (iii) ten rupees in the case of an appeal to the Election Commission.
- (f) The fee prescribed under clause (e) shall be paid by affixing one or more non-judicial stamps to the application or the appeal and shall in no case be refunded."

9. In rule 23 sub-rule (3) shall be omitted.

10. Forms III and IV shall be omitted.

[No. F.47(1)/53-L.]

K. Y. BHANDARKAR, Secy.